

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

OPAL HARGER, *et al.*

Plaintiffs,

v.

U.S. DEPARTMENT OF LABOR,
and THE NATIONAL INSTITUTE
OF OCCUPATIONAL SAFETY
AND HEALTH,

Defendants.

NO. CV-06-5071-RHW

**ORDER GRANTING MOTION
TO DISMISS**

Before the Court is Plaintiffs' Motion to Dismiss Plaintiff Deborah Watters Graber for George Watters with Prejudice (Ct. Rec. 169). This motion was heard without oral argument.

Plaintiff Deborah Watters Graber, surviving daughter and personal representative of former Hanford worker George Watters moves the Court to dismiss her case with prejudice due to the recent approval of her EEOICPA claim and the full payment of benefits to her and her siblings. Defendants have no objection to this motion, and it appears Plaintiff Schack's claims have been rendered moot.

Accordingly, **IT IS HEREBY ORDERED:**

1. Plaintiffs' Motion to Dismiss Plaintiff Deborah Watters Graber for George Watters with Prejudice (Ct. Rec. 169) is **GRANTED**.

2. The claims of Plaintiff Deborah Watters Graber, surviving daughter and

1 personal representative of former Hanford worker George Watters, are

2 **DISMISSED with prejudice.** Plaintiff Graber is now dismissed from this matter.

3 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
4 Order and to provide copies to counsel.

5 **DATED** this 4th day of September, 2008.

6 *S/ Robert H. Whaley*

7 ROBERT H. WHALEY
8 Chief United States District Judge

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